

## **REMARKS**

Claims 1-33 are currently pending and subject to a final rejection based on the final Office Action dated December 11, 2007. In particular, the final Office Action rejected claims 1-27 under 35 U.S.C. § 103(a) as allegedly unpatentable over *Yan et al.* ("Yan," U.S. Pat. No. 6,816,718) in view of *Isberg et al.* ("Isberg," U.S. Pat. No. 6,029,052). The final Office Action also rejected claims 28-33 under 35 U.S.C. § 103(a) using two prior art rejections: (a) as allegedly unpatentable over *Peterzell et al.* ("Peterzell," U.S. Pat. No. 6,694,129) in view of *Digital Video Broadcasting* (<http://www.dvd.org>) and further in view of *IEEE 802.11a Standards*; and (b) as allegedly unpatentable over *Yan* in view of *Digital Video Broadcasting* (<http://www.dvd.org>) and further in view of *IEEE 802.11a Standards*. The Advisory Action mailed on March 18, 2008 asserts that the response after final (herein, RAF) dated January 24, 2008 was considered but deemed to not have placed the application in condition for allowance. For purposes of the pre-appeal brief conference, Applicants respectfully traverse these rejections as applied to claims 1-33, and respectfully submit that there exists clear cases of error, supported by the evidence in the record, in this rejection. Although Applicants believe errors in the rejection are evident for all independent claims, for purposes of conciseness in the pre-appeal brief conference, Applicants address the errors in a representative sample of claims, and in particular, independent claims 1 and 28.

### **I. Rejection of Independent Claim 1**

Claim 1 includes the limitations of "wherein processing the first baseband signal and the second baseband signal comprises selectively filtering and selectively DC-offset correcting the first and second baseband signals, ***wherein selectively filtering and selectively DC-offset correcting comprises selecting different filtering bandwidths***

**and different DC-offset correcting bandwidths based on which system baseband signal is to be processed."** The Response to Arguments section (page 2) of the Advisory Action alleges that (a) DC offset correction circuitry in *Yan* forces "the DC levels of the differential in-phase signals I+ and I- to a common level to reduce or eliminate distortion cause by having a DC offset between the respective differential signals," that (b) depending "on the offset of the input baseband signal as shown in fig. 1, labels I+, I-, Q+ and Q-, the DC offset correction signal would perform an adjustment to provide a common level between Q+, Q- and I+, I-," and that (c) "it is implied that the DC offset correction circuitry will perform a selection or choice in order to determine the amount of adjustment, depending on the baseband signal inputted, needed to provide a common level as discussed in the prior art." In other words, the basis of the rejection appears to hinge on the Examiner's alleged implications, and not actual teachings of the art.

As explained on pages 11 of Applicants' RAF (and pages 11 and 13 of the response to non-final Office Action dated September 28, 2007), there is nothing in *Yan* that teaches that different DC-offset correcting **bandwidths** are selected. In addition, as further explained on page 11 of the RAF, the common level appears to be relative to the in-phase and quadrature components of a signal – i.e., reducing the differences to a common level. There is nothing in *Yan* to suggest that such a process of reducing the differences is based on an absolute value or level of the system baseband signal inputted. For instance, the decision on adjustment might be made independent of the signal level (e.g., since relativeness appears to be the focus of *Yan*), and hence not based on the system baseband signal to be processed. Indeed, *Yan* is silent as to the actual implementation details pertaining to the manner if which the common level is achieved. Not only does the alleged implication proffered by the Examiner lack sufficient technical or evidentiary basis, the reliance on implication provides evidence that it is

clear factual error to assert that the above-emphasized claim features are disclosed in *Yan*. Accordingly, Applicants respectfully request that the rejection be withdrawn and prosecution re-opened.

**II. Rejection of Independent Claim 28 – *Peterzell*, *Digital Video Broadcasting*, and *IEEE 802.11a Standards***

The Examiner disagrees (see pages 5-6 of the Advisory Action) with Applicants' contention that *Peterzell* in view of *Digital Video Broadcasting* and *IEEE 802.11a Standards* fails to disclose, teach, or suggest "a direct current (DC)-correction element configured to include switchable bandwidths," and attempts to rebut Applicants' arguments apparently by using implication. That is, the Examiner's position appears to be that since the signal inputted to the DC cancellation module will vary depending on the system selected, the amount of adjustment by the DC cancellation module would depend on the received mode and hence the adjustment would involve **switchable bandwidths**. Applicants respectfully submit that, in view of the total absence in *Peterzell* of any discussion of a DC correction element possessing switchable bandwidths, the explanation proffered by the Examiner is simply without adequate technical or evidentiary basis. Indeed, it is clear factual error to allege that *Peterzell* in view of *Digital Video Broadcasting* and *IEEE 802.11a Standards* discloses the above-emphasized features, and hence, Applicants respectfully request that the rejection be withdrawn and prosecution re-opened.

**III. Rejection of Independent Claim 28 – *Yan*, *Digital Video Broadcasting*, and *IEEE 802.11a Standards***

For similar reasons presented in association with the discussion of claim 1 above, Applicants respectfully submit that there is clear factual error, and respectfully request that the rejection be withdrawn and prosecution re-opened.

In view of the foregoing, Applicants respectfully submit that the art of record does not render obvious the claims, and hence respectfully request that the rejection to at least independent claims 1-33 is clearly improper due to errors by the Examiner.

**CONCLUSION**

Favorable reconsideration and allowance, or the re-opening of prosecution on the merits, of the present application and claims 1-33 are hereby courteously requested.

Respectfully submitted,

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& RISLEY, L.L.P.**

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